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July 19, 2005

**VIA HAND DELIVERY**

The Honorable Charles L. A. Terreni  
Chief Clerk and Administrator  
The Public Service Commission of South Carolina  
101 Executive Center Drive  
Columbia, South Carolina 29210

RE: Docket No: 2005-191-E-Generic Proceeding to Explore a Formal Request For Proposal  
Process For Utilities That Are Considering Alternatives For Adding Generating Capacity

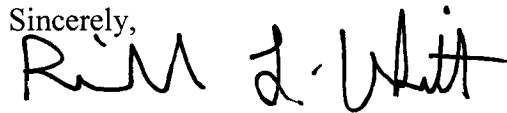
Dear Mr. Terreni:

Enclosed is the original and ten copies of Duke Power, a division of Duke Energy  
Corporation's Petition to Intervene in the above referenced Docket.

C. Dukes Scott, Esquire, and Florence Belser, Esquire of the Office of Regulatory Staff  
have been served with this Petition on even date. If you have any questions or concerns please do  
not hesitate to contact the undersigned.

With kind regards, we are

Sincerely,



William F. Austin  
Richard L. Whitt

RLW/dss

cc: C. Dukes Scott, Esquire  
Florence P. Belser, Esquire  
(both of the South Carolina Office of Regulatory Staff)

**ORIGINAL**

**CERTIFICATE OF SERVICE**

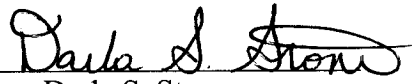
I, Darla Stone, employee of Austin Lewis Rogers, P.A., hereby certify that I caused copies of this petition to be hand delivered on this date, to the individuals shown below, at the addresses shown below:

Florence Belser, Esquire  
Office of Regulatory Staff  
1441 Main Street, Suite 300  
Columbia, South Carolina 29201

C. Dukes Scott, Esquire  
Office of Regulatory Staff  
1441 Main Street, Suite 300  
Columbia, South Carolina 29201

This the 19<sup>th</sup> day of July, 2005.

Austin Lewis and Rogers, P.A.

By:   
Darla S. Stone

SO ORDERED  
2005 JUL 19 PM 11:25  
FLORENCE BELSER

**ORIGINAL**

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2005-191-E

2005 JUN 17 PM 4:26  
RECEIVED  
PUBLIC SERVICE COMMISSION  
SOUTH CAROLINA

IN RE: Docket No: 2005-191-E-Generic  
Proceeding to Explore a Formal Request  
For Proposal Process For Utilities That  
Are Considering Alternatives For Adding  
Generating Capacity

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**PETITION TO INTERVENE**

Duke Power, a division of Duke Energy Corporation ("Duke"), pursuant to Public Service Commission of South Carolina ("Commission") Rules 103-830, 103-836, and other applicable Rules and Statutes, hereby petitions this Commission for an Order allowing Duke to intervene as a Party of Record and participate in the above described docket. Duke shows as follows:

1. Duke is an electric utility, generating, transmitting, distributing, and selling electric power in South Carolina, subject to the jurisdiction of this Commission. Duke is a North Carolina Corporation, domesticated to conduct and conducting business within the state of South Carolina.

2. Attorneys authorized to receive communications and pleadings relevant to this Petition are:

William F. Austin  
Richard L. Whitt  
AUSTIN, LEWIS & ROGERS, P.A.  
Post Office Box 11716  
Columbia, South Carolina 29211  
(803)251-7443

Kodwo Ghartey-Tagoe  
DUKE POWER, a division of  
DUKE ENERGY CORPORATION  
Post Office Box 1244, PBO5E  
Charlotte, North Carolina 28201  
(704) 382-4295

3. Order No: 2005-2, issued in Docket No: 2004-178-E, dated, January 6, 2005 called for, *inter alia*, a generic docket concerning South Carolina utilities' procedures for adding generating capacity. Thereafter, Docket 2005-191-E was opened. On July 12, 2005 a notice was issued relevant to that Docket, requiring intervention by August 15, 2005.


4. Duke's position is that it has an substantial interest in the stated subject matter of the proceeding and therefore should be allowed to intervene and participate fully in the Docket and the hearing of this matter.

WHEREFORE, Duke requests that:

This Commission inquire into this matter and issue an Order:

- 1) granting Duke's request to be allowed to intervene in this matter and participate fully in the Docket and the hearing to be held on October 26, 2005.
- 2) granting Duke all rights attendant to intervenor status.
- 3) such other and further relief as this Commission may deem just and proper.

Respectfully Submitted,



William F. Austin  
Richard L. Whitt  
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ATTORNEYS FOR PETITIONER  
DUKE POWER, A DIVISION OF  
DUKE ENERGY CORPORATION

Columbia, South Carolina  
Dated: July 19<sup>th</sup>, 2005